



**U.S. Department of Justice**

**Stephen J. Murphy  
United States Attorney  
Eastern District of Michigan**

*Suite 2001  
211 West Fort Street  
Detroit, Michigan 48226-3277  
Fax: (313) 226-3561*

**For Immediate Release:**

**Contact:** Gina Balaya (313) 226-9193

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**EVENT: Sentencing**

**Defendant: Daniel J. Lin**

**FIRST MAN CHARGED UNDER U.S. "CAN-SPAM" ACT  
SENTENCED TO THREE YEARS IN PRISON**

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The first person charged under "CAN-SPAM", the federal law that made certain kinds of fraudulent or unauthorized mass electronic mailings or "spamming" federal crimes, has been sentenced today in the United States District Court in Ann Arbor, Michigan, United States Attorney Stephen J. Murphy announced today.

Murphy was joined in the announcement by Gregory Campbell, United States Postal Inspector in Charge, for the U.S. Postal Inspection Service.

Daniel J. Lin, 30, of West Bloomfield, was sentenced to 3 years in federal prison, followed by two years supervised release and ordered to pay a \$10,000 fine by United States District Court before Judge John Corbett O'Meara.

Lin pleaded guilty on January 17, 2006. The information presented to the court at the time of the plea showed that between January 2004 and August 2004, Daniel Lin and others developed a business to market and sell certain products, including weight loss patches, so

called “generic” viagra and cialis pills, and other products through the use of “spam” or bulk commercial electronic mail. Lin caused millions of e-mail messages advertising these products to be sent containing falsified header information, or by routing the messages through other computers without authorization. In carrying out this scheme, Lin and others caused the introduction into the United States of prescription medications from India, in packages that did not declare their true contents, and sold these drugs in the United States without a prescription as required by the Food and Drug Administration. The scheme made over \$ 350,000 in between January and April 2004, when Lin was arrested. At the time of the execution of the search warrant on Lin’s residence in West Bloomfield, Lin, a convicted felon, was in possession of two firearms.

“Internet fraudsters are going to have to face the fact that ‘spamming’ is a federal crime when it involves accessing the computers of innocent users without permission or using false return information,” said U.S Attorney Murphy. ‘Spammers’ who abuse the Internet to hawk unapproved prescription drugs, illegitimate pseudo-medical products, porn, or any other products should sit up and take notice: illegal spamming can land you in prison.”

Postal Inspector in Charge Campbell said, "The Postal Inspection Service's mission is to maintain the public's high confidence in the U.S. Mail by investigating those who would use the mail as part of a criminal enterprise. We are proud to have initiated the very first criminal prosecution under the new federal statute, commonly referred to as the "CAN-SPAM" act, which prohibits abusive and predatory email practices."

The case was prosecuted by First Assistant United States Attorney Terrence Berg and was investigated by Postal Inspector Karl A. Hansen.